

School & Court Linkages

A Periodic Newsletter of the Superintendents - Judges Liaison Committee

Issue 2, September 2000

This newsletter summarizes some of the recent discussions of the Superintendents-Judges Liaison Committee. The Committee, created in 1995, is designed to establish a permanent liaison that will maintain open lines of communication between superintendents and judges and address issues of mutual concern.

The committee is consists of eight school division superintendents and eight judges, one from each of the superintendents' regions. The Virginia Association of School Superintendents appointed the superintendents. Chief Justice Harry L. Carrico, of the Supreme Court of Virginia, invited the judges to participate.

Meetings are held twice each year. The superintendent and judge from each region host regional meetings of superintendents and judges on a periodic basis. The Virginia Department of Education provides grant funds to support these meetings.

The first issue of the newsletter included a Spotlight on Truancy Reduction, as truancy is a recurring topic as both the schools and the juvenile and domestic relations courts struggle with effective methods to address this problem.

Current membership:

*Dr. Jo Lynne DeMary
Superintendent for Public Instruction*

*Mr. Robert N. Baldwin
Executive Secretary, Supreme Court of Virginia*

Region I

*Dr M. LaVerne Daniels
Surry County Public Schools*

*The Honorable Samuel E. Campbell
Hopewell Juvenile and Domestic Relations
District Court*

Region II

*Dr. Steven R. Staples
York County Public Schools*

*The Honorable William R. Moore, Jr.
Isle of Wight Juvenile and Domestic Relations
District Court*

Region III

*Dr. Sharon D. Dodson
King William County Public Schools*

*The Honorable Maston Davis
Richmond County Juvenile and Domestic
Relations Court*

Region IV

*Dr. Nancy C. Vance
Warren County Public Schools*

*The Honorable Jane B. Delbridge
Fairfax Juvenile and Domestic Relations
District Court*

Region V

*Dr. T. Lowell Lemons
Waynesboro City Public Schools*

*The Honorable Kenneth W. Farrar
Lynchburg Juvenile and Domestic
Relations Court*

Region VI

*Dr. Linda Weber
Roanoke County Public Schools*

*The Honorable J.P. Bounds
Roanoke Juvenile and Domestic Relations
District Court*

Region VII

*Mr. Woodrow Mullins
Tazewell County Public Schools*

*The Honorable J. Wesley McClintock, III
Tazewell County Juvenile and Domestic
Relations District Court*

Region VIII

*Dr. Margaret Blackmon
Prince Edward County Public Schools*

*The Honorable M.M. Rand
Halifax Juvenile and Domestic Relations
District Court*

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Spotlight: *Search and Seizure*

At the May 2000 meeting, the Committee received a report from Joan Murphy, Assistant Attorney General about the ***Student Search Guidelines***.

As directed by 1999 General Assembly action (House Bill No. 1489), the Board of Education, in consultation with the Office of the Attorney General, was charged with developing guidelines for student searches. Random locker searches and strip searches were to be included as topics.

To implement the General Assembly's mandate, the Department of Education and the Office of the Attorney General jointly invited representatives from local school divisions, state agencies and professional organizations to participate. A search was

undertaken to identify guidelines developed by other states, finding that only Florida and New Jersey had guidelines. The New Jersey document was particularly helpful in light of the findings from the 1985 case, *New Jersey v. T.L.O.* As described in the Fourth Amendment and as interpreted in *T.L.O.* and subsequent court decisions, student searches must meet the standard of reasonableness as set forth in *T.L.O.*

The Virginia guidelines were developed as a technical assistance document outlining relevant constitutional and statutory principles to guide local school authorities in developing local policy and practice. They are not intended to be regulations that displace local discretion and authority.

The guidelines were approved by the Board of Education on November 18, 2000. The guidelines were submitted to the 2000 General Assembly.

The 2000 General Assembly passed legislation to require school boards to develop and adopt regulations governing student searches and to be in effect for the 2001-2002 school year.

The Department of Education disseminated copies of the guidelines to school divisions (Superintendents Memorandum No. 9, March 17, 2000). To date, over 6,000 copies of the guidelines have already been distributed. Additional copies may be requested, at no cost, from Arlene Cundiff in the Office of Compensatory Programs at 804/225-2871.

Spotlight: *Suicide Prevention*

Also at the May meeting, the Liaison Committee received a report on suicide prevention from Dr. Don Fleming, School Psychology Specialist at the Virginia Department of Education.

The Virginia Board of Education, in cooperation with the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Health, developed the *Suicide Prevention Guidelines* in response to the direction of the 1999 General Assembly. The General Assembly acted in response to the

suicidal death of Lisa Renee Hall. At the time of her death, Lisa was a student in a Virginia middle school.

The document provides guidelines for school personnel to follow when contacting parents and other agencies once they receive a direct communication of a suicidal threat. The guidelines cover conducting an assessment of suicidal risk and contain resource materials.

It was noted that the development of the guidelines was consistent with a

recommendation made by the Virginia State Child Fatality Team in January 1999. This recommendation was contained in the team's first study of violent deaths (suicide and homicide) of Virginia children and youth.

The guidelines are posted on the Department of Education's web page (www.pen.k12.va.us/VDOE/Instruction/prevention.pdf). Copies of the Guidelines and the report of the Virginia State Child Fatality Team are available from Dr. Fleming in the Office of Special Education and Student Services at (804) 225-2185.